

REMARKS

This is meant to be a complete response to the Office Action mailed November 25, 2008. Claims 1, 28, 38, 46, 51, 71 and 76-79 are pending in the application.

Applicants' Response to the Nonstatutory Obviousness-type Double Patenting Rejection

In the Office Action, the Examiner rejected claims 1, 28, 38, 46, 51, 71 and 76-79 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-26 of U.S. Patent No. 7,041,150 in view of Leland (U.S. Patent No. 5,147,451).

In response to the rejection, a Terminal Disclaimer is being filed herewith which complies with each and every provision of 37 C.F.R. §1.321 and which disclaims the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. 7,041,150. Applicants respectfully submit that the nonstatutory obviousness-type double-patenting rejection of pending claims 1, 28, 38, 46, 51, 71 and 76-79 has been obviated by the filing of the Terminal Disclaimer and requests reconsideration and withdrawal of rejection of the claims.

CONCLUSION

This is meant to be a complete response to the Office Action mailed November 25, 2008. Applicants respectfully submit that the rejection of the claims has been overcome. Further, Applicants respectfully submit that all pending claims are patentable and are in a condition for allowance. Favorable action is respectfully solicited.

Should the Examiner have any questions regarding this response, Applicants' representative would welcome the opportunity to discuss the same with the Examiner.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Sorocco', is written over a horizontal line.

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